

REMARKSSTATUS OF CLAIMS

The Office Action dated June 4, 2003 has been received and its contents carefully considered. Claims 1-26 are pending. Claims 12-16 are withdrawn from consideration. Claims 2, 3, 5, 7, 11, 17 and 19 have been amended. Claims 1 and 4 have been cancelled without prejudice or disclaimer. Claims 5 and 17 are independent. New claim 27 has been added.

Reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the following remarks.

OFFICE ACTION

Claims 1-11 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner states that in claim 1, line 65, "a pivotal hinge plate" is not described in the specification. Claims 19-21 and 23-25 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-4 and 7 were rejected under 35 U.S.C. §102(a) as being anticipated by Crow et al. '864. Claims 17-22 and 26 were rejected under 35 U.S.C. §102(a) as being anticipated by Crow et al. '864. Claims 5, 6, 8-11, 21 and 23-25 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. The Examiner is thanked for the indication of allowable subject matter. These rejections are respectfully traversed with respect to the following reasons.

The claims have been amended to overcome the 112 rejections. Claim 1 is now cancelled and the subject matter has been incorporated into claim 5 with the "hinge plate" terminology corrected to "shaft bracket" to more directly reflect the structure clearly described in the specification (see paragraphs 24 and 28). Claim 19 has been amended to reflect the Examiner's suggested language and to more clearly define the structural features of the claimed invention.

Without conceding the propriety of the rejections, claim 5 has been rewritten in independent form, including the subject matter of the base claim and any intervening claims accordingly. Thus, it is deemed that claim 5 is allowable.

In addition, claim 17 recites, in part, means for lifting said head assembly from a substantially horizontal plane to a substantially vertical plane without any manual assistance. However, Crow et al. '864 shows a manually pivotal plate 64 only. For anticipation under 35 U.S.C. §102 the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present (M.P.E.P. 706.02). Since each and every element, as set forth in the claim, is not found either expressly or inherently described as required by the M.P.E.P, Crow et al. '864 cannot be said to anticipate the clutch handler assembly of the present invention as claimed. Thus, Crow et al. '864 fails to teach or suggest means for lifting said head assembly from a substantially horizontal plane to a substantially vertical plane without any manual assistance as presently claimed.

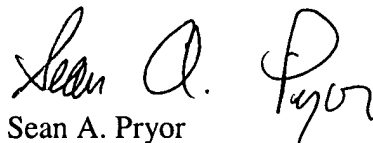
For the foregoing reasons, it is respectfully submitted that the invention recited in independent claims 5 and 17 are patentable over Crow et al. '864. The remaining dependent claims are also believed to be allowable at least for the reasons given above.

In view of the foregoing, reconsideration and allowance of the application are believed in order, and such action is earnestly solicited.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned at 202/861-1748.

Respectfully submitted,

BAKER & HOSTETLER LLP



Sean A. Pryor  
Registration No. 48,103

Washington Square, Suite 1100  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5304  
Telephone: 202/861-1655  
Facsimile: 202/861-1783  
**Date: August 28, 2003**

**BEST AVAILABLE COPY**